

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

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M&T Bank

In Re:
Roosevelt Francis, Jr. & Melissa R. Francis

Debtors.



Order Filed on November 25, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 13-23364 MBK

Adv. No.:

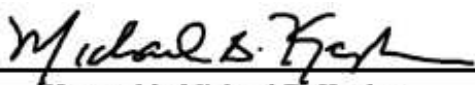
Hearing Date: 9/19/2017 @ 10am

Judge: Michael B. Kaplan

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: November 25, 2017


Honorable Michael B. Kaplan
United States Bankruptcy Judge

(Page 2)

Debtor: Roosevelt Francis, Jr. & Melissa R. Francis

Case No: 13-23364 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, M&T Bank, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 152 Greenland Avenue Trenton, NJ 08638, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Georgette Miller Esquire, attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of September 26, 2014, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due August 2017 through October 2017 for a total post-petition default of \$3,584.19 (3 @ \$1,598.71; less suspense \$1,211.94)

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$3,584.19 shall be added to the affidavit of amount due and paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Debtors shall file a modified plan within fifteen days to account for the post-petition arrears being paid through the plan; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume November 1, 2017, directly to Secured Creditor, M&T Bank, P.O. Box 1288, Buffalo, NY 14240 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtors' Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that the Motion for Relief is resolved.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Roosevelt Francis, Jr.
Melissa R. Francis
Debtors

Case No. 13-23364-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Nov 27, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 29, 2017.

db/jdb +Roosevelt Francis, Jr., Melissa R. Francis, 152 Greenland Avenue, Trenton, NJ 08638-3628

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 29, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 27, 2017 at the address(es) listed below:

Adam D. Greenberg on behalf of Creditor Crestar Capital, L.L.C. agreenberg@hglclaw.com,
Aholmes@hglclaw.com
Albert Russo docs@russotrustee.com
Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo (NA) on behalf of Trustee Albert Russo docs@russotrustee.com
Alexandra T. Garcia on behalf of Creditor M&T Bank NJECFMAIL@mw-law.com
Denise E. Carlon on behalf of Creditor M&T Bank bankruptcynotice@zuckergoldberg.com,
bkgroup@kmlawgroup.com
Elizabeth K. Holdren on behalf of Creditor Ewing Township eak@hillwallack.com,
fkm@hillwallack.com; jhanley@hillwallack.com
Georgette Miller on behalf of Debtor Roosevelt Francis, Jr. info@georgettemillerlaw.com,
georgettemillerlaw@gmail.com; gmeccfmail@gmail.com; csmith@georgettemillerlaw.com; r50524@notify.best
case.com; gregmont@gbmlaw.net
Georgette Miller on behalf of Joint Debtor Melissa R. Francis info@georgettemillerlaw.com,
georgettemillerlaw@gmail.com; gmeccfmail@gmail.com; csmith@georgettemillerlaw.com; r50524@notify.best
case.com; gregmont@gbmlaw.net
Joshua I. Goldman on behalf of Creditor M&T Bank jgoldman@kmlawgroup.com,
bkgroup@kmlawgroup.com

TOTAL: 10